

ZBA 2021-6

Fee \$160.00  
(Variance)

# ZBA1

CITY OF MIDDLETOWN  
ZONING BOARD OF APPEALS  
MUNICIPAL BUILDING, DEKOVEN DRIVE, MIDDLETOWN, CT 06457

## APPLICATION FOR VARIANCE FROM THE MIDDLETOWN ZONING REGULATIONS

OWNER Margaret C. Gray + Jonathan W. Best ADDRESS 116 Way Rd. Middlefield, CT 06455 DATE April 16, 2021  
APPLICANT \_\_\_\_\_ ADDRESS \_\_\_\_\_  
(if other than owner)  
SUBJECT PROPERTY 29 Gordon Place ZONE R-15  
(Street Address)

OWNER'S DEED REFERENCE: VOL. 1908 PAGE 163-165 Attach a legal description of the property.

The undersigned hereby applies for a Variance of Section(s) 21-01, 21-02, 21-04 (40.04.16)

This application relates to: \_\_\_\_\_ USE \_\_\_\_\_ AREA \_\_\_\_\_ YARDS \_\_\_\_\_ HEIGHT \_\_\_\_\_ BUILDING LINE \_\_\_\_\_  
SIGN \_\_\_\_\_ A PROPOSED BUILDING X AN EXISTING BUILDING \_\_\_\_\_ OTHER (Check proper one)

If work constitutes an alteration, conversion or extension to an existing building and/or non-conforming building or use, describe briefly: Reconfiguration of garage forward up to

9'6" and addition of a screened porch/deck directly  
behind the garage. (Please see attached.)

Has any previous application been filed in connection with this property? No When? \_\_\_\_\_  
Is hardship claimed? yes If so, what is the specific hardship? \_\_\_\_\_

(1) Provision of an accessible outdoor sheltered space on  
first floor for a person with limited mobility and (2) limitation of any

NOTICE: The clerk cannot accept an application unless signed, all required information is provided, all required items attached and fee paid. The following must be attached:

(a) A legal description of the subject property; and (b) A survey of the subject property prepared by a Connecticut registered land surveyor with the surveyor's seal and a certification that it is substantially correct to the degree of accuracy shown thereon, showing the boundaries of the subject property, existing and proposed structures and other improvements and all zoning lines pertinent to all boundaries.

Attach additional sheets, if necessary.

A Certification of Grant of Variance with legal description of the property attached must be recorded in the Middletown Land Records at the owner's expense before a variance can be effective.

The undersigned hereby represents that all the above statements and the statements contained in any items attached or submitted herewith are true to the best of my knowledge and belief.

Signature of Owner Margaret C. Gray

Telephone No. 860/685-1580

860/349-8840

Signature of Applicant if other than owner.  
State interest in premises (Lessee, etc.)

Telephone No. \_\_\_\_\_

PD \$160.00 4/16/21  
Ch#2585

DEPT. PLANNING & ZONING  
21 APR 16 AM 8:06  
06455

April 14, 2021

To: Members of the Zoning Board of Appeals  
From: Margaret Carey & Jonathan W. Best, Owners  
Re: Variance Application for 29 Gordon Place

**We are applying for variances of the following in order to reconfigure the garage of an existing residence up to 9'6" forward in order to add a screened porch/deck directly behind it.**

**21.01 Setback**

Side yard setback to the garage construction of 9.25' where 10'-0" is required  
Front yard setback to the garage construction of 8.66' where 25' is required (the existing house is non-conforming)  
Side yard setback to the deck construction of 4.75' where 10' is required (the existing house is non-conforming)

**21.03 Lot Coverage**

Lot coverage of new construction of 1624 sf (existing coverage = 1410, garage extension = 151 sf, deck = 63 sf) where maximum allowable is 1545 sf

**21.04 Parking Spaces & 40.04.16 Quantity of Parking Spaces**

Parking spaces (2 provided) where 3 are required (the existing house is non-conforming)

**Hardship claimed:** We are planning for one-floor living at 29 Gordon Place: (1) to assure direct access to a sheltered outdoor space on the first floor for a person with limited mobility and (2) to minimize any encroachment on the Ravine Park space.

**Attached:**

- Legal description (deed) of the property
- Architect's GIS zoning study mapping of the property, the existing (non-conforming) house, and the proposed reconfiguration of the garage with added porch/deck. (Electronic version sent (per instructions from your office) to City Planner, Marek Kozikowski by e-mail <marek.kozikowski@middletownct.gov> on 16 April 2021.
- Letters from neighbors: (Schatz) 25 Gordon Place & (Morgan) 30 Gordon Place

MUNKITTRICK  
ASSOCIATES, LLC  
ARCHITECTURE  
SPACE PLANNING  
INTERIOR DESIGN  
200 W. MAIN STREET  
SUITE 100  
GROTON, CT 06340  
MUNKITTRICKASSOCIATES@GMAIL.COM

PROJECT

CAREY-BEST  
HOUSE REMODEL  
25 GORDON PLACE  
MIDDLETOWN, CONNECTICUT

NO. 100

DATE

SCALE

TITLE

2003-28

02-23-21

02-23-21

02-23-21

02-23-21

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02-23-21

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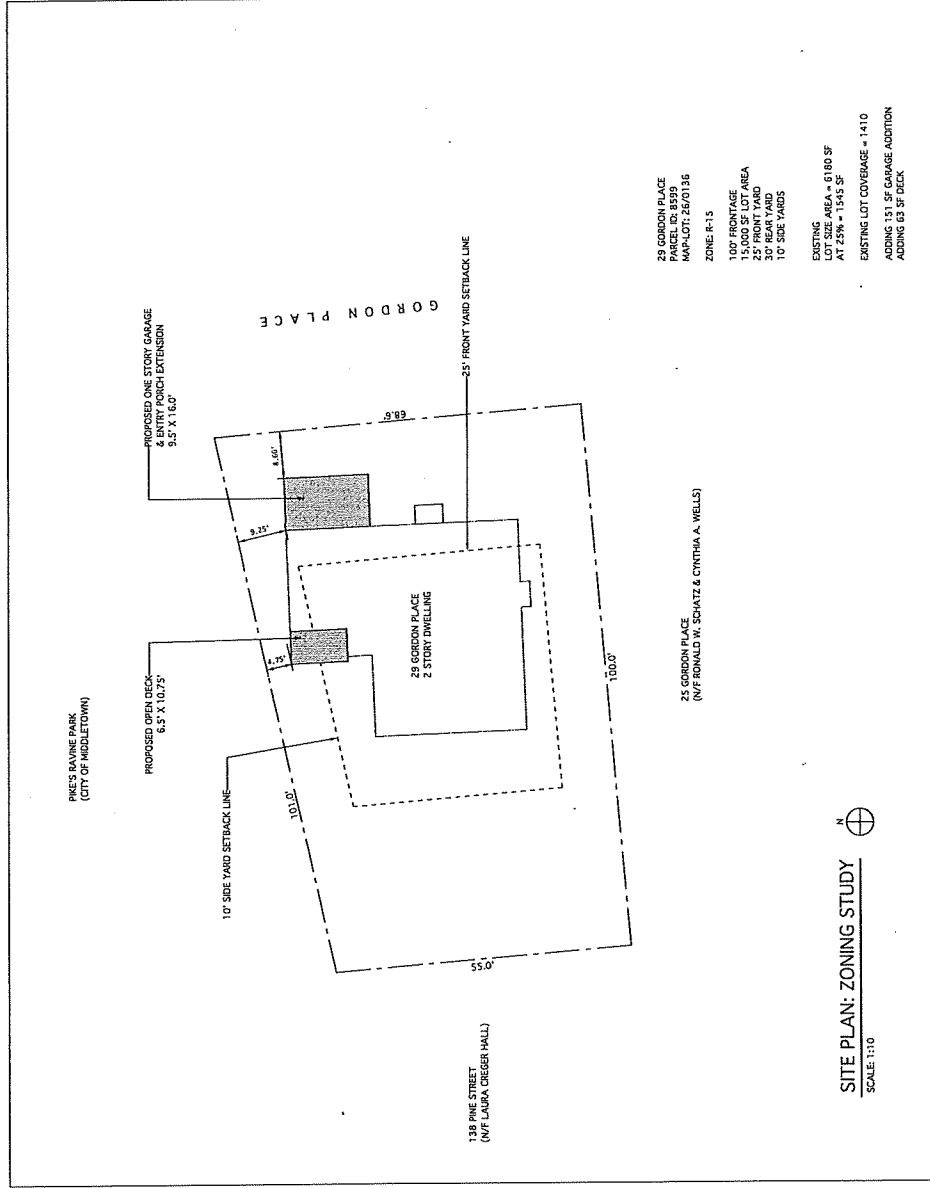
02-23-21

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02-23-21

SITE PLAN





Doc ID: 00366350003 Type: LAN

BK 1908 PG 163-165

After recording, return to:

William, Rickel / r theore  
 178 Broad St  
 Middletown, CT 06457

WARRANTY SURVIVORSHIP DEED

TO ALL PEOPLE TO WHOM THESE PRESENTS SHALL COME, GREETING:

KNOW YE, that I, **ELIZABETH M. MIEL**, of Middletown, Connecticut (hereinafter referred to as the "Grantor") for the consideration of TWO HUNDRED TWELVE THOUSAND (\$212,000.00) DOLLARS received to my full satisfaction of **JONATHAN W. BEST and MARGARET CAREY BEST**, both of Middlefield, Connecticut (hereinafter referred to as the "Grantees"), do give, grant, bargain, sell and confirm unto the Grantees, and unto the survivor of them, and unto such survivor's heirs and assigns forever, all that certain piece or parcel of land situated in the Town of Middletown, County of Middlesex and State of Connecticut, and more particularly described in Schedule A annexed hereto and made a part hereof (hereinafter referred to as the "premises").

TO HAVE AND TO HOLD the above granted bargained premises, with the appurtenances thereof, unto them, the said Grantees, and unto the survivor of them, and unto such survivor's heirs and assigns forever, to them and their own proper use and behoof.

AND ALSO, I, the said Grantor, do for myself and my heirs, executors, administrators, successors and assigns, covenant with the said Grantees and with the survivor of them, and with such survivor's heirs and assigns, that at and until the ensealing of these presents, I am well seized of the premises, as a good indefeasible estate in FEE SIMPLE; and have good right to bargain and sell the same in manner and form as is above written; and that the same is free from all encumbrances whatsoever, except as set forth above.

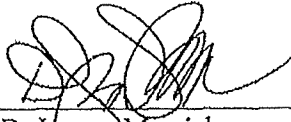
AND FURTHERMORE, I, the said Grantor, do by these presents bind myself and my heirs, executors, administrators, successors and assigns forever to WARRANT AND DEFEND the above granted and bargained premises to them, the said Grantees, and to the survivor of them and to such survivor's heirs and assigns, against all claims and demands whatsoever, except as set forth above.

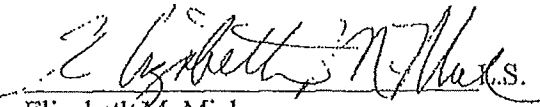
TX \$ 1060.00 CONVEYANCE TAX RECEIVED, ST TX \$ 1,590.00

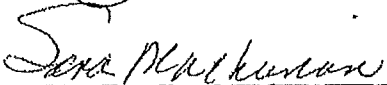
*Linda Bettencourt*  
 TOWN CLERK OF MIDDLETOWN

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 13th day of November, 2017.

Signed, Sealed and Delivered  
in the Presence of:

  
D. Jeanne Messick

  
Elizabeth M. Miel

  
Sara MacKinnon

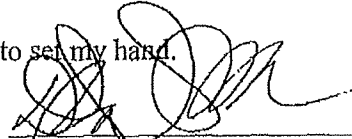
STATE OF CONNECTICUT:

; ss. Middletown

COUNTY OF MIDDLESEX:

On this, the 13<sup>th</sup> day of November, 2017, before me, D. Jeanne Messick, the undersigned officer, personally appeared Elizabeth M. Miel, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument, and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand.

  
D. Jeanne Messick  
Commissioner of the Superior Court

LATEST ADDRESS OF GRANTEES:

SCHEDULE A

POOR ORIGINAL

All that certain piece or parcel of land, together with buildings and other improvements thereon, located on the westerly side of Gordon Place in said Middletown, and bounded:

NORTHERLY: One hundred one (101) feet by a strip of land four (4) feet wide, owned now or formerly by Middletown Homes, Inc.;

EASTERLY: Sixty-eight and six-tenths (68.6) feet by Gordon Place;

SOUTHERLY: One hundred (100) feet by Lot No. 38, owned now or formerly by Elsie F. Schneider; and

WESTERLY: Fifty-five (55) feet by Lot No. 47, owned now or formerly by Earle C. Doebener.

The land herein conveyed is shown as Lot No. 39, a part of Westvue Terrace, on Map 326 on file in the Town Clerk's Office in said Middletown.

Subject to building restrictions as of record appear.

Being the same premises described in a Warranty Deed from Archibald William Allen and Shirley Seifried Allen to Jan Miel and Elizabeth M. Miel, dated November 3, 1970, recorded in the Middletown Land Records, Volume 372, Page 329. Reference is also made to a Certificate Releasing Liens for the Estate of Jan Miel, dated October 31, 2017, recorded in the Middletown Land Records prior to this Warranty Deed.

Said premises are subject to the following:

1. The provisions of any ordinance, municipal regulation, or public or private law.
2. Facts which an accurate survey or inspection of the premises might show.
3. Sewer right of way in favor of the City of Middletown, running easterly and westerly across the northern portion of said premises at a distance of approximately eleven (11') feet from the northerly boundary.
4. Second installment of taxes to the City of Middletown on the List of October 1, 2016, which taxes Grantees herein assume and agree to pay.

Received for Record at Middletown, CT  
On 11/14/2017 At 2:14:08 pm

*[Signature]*